

VILLAGE OF CROTON ON HUDSON, NEW YORK
MINUTES OF THE WATERFRONT ADVISORY COMMITTEE MEETING
WEDNESDAY, OCTOBER 13, 2010

A meeting of the Waterfront Advisory Committee of the Village of Croton-on-Hudson, New York was held on Wednesday, October 13, 2010 in the Municipal Building.

MEMBERS PRESENT: Fran Allen, Chairperson
 Robert Luntz
 Ian Murtaugh
 Richard Olver

ABSENT: Stuart Greenbaum

ALSO PRESENT: Daniel O'Connor, P.E., Village Engineer

1. Call to Order:

The meeting was called to order at 8:00 P.M. by Chairperson Allen.

Before the WAC members began their consistency reviews on the three referral applications, the WAC had a discussion on how to proceed with their reviews. Mr. Olver suggested that to save time on the review of an application, rather than going through all of the 44 policies in the LWRP the WAC could discuss just those policies that they feel are relevant to the subject application. Chairperson Allen noted that at the last meeting on the bowhunting law, the WAC went through each of the 44 policies, to which Mr. Luntz said that, for the applications before the board tonight, he would think that the WAC could streamline the process. He questioned if the WAC could look at all three applications at once, to which Chairperson Allen said that she would rather do individual reviews. She thought that the mixed-use occupancy application at 383 South Riverside Avenue was different from the others; for that reason, she would rather do separate (individual) reviews. Chairperson Allen noted that the Village Engineer's office had provided in the WAC's packets LWRP policy worksheets, which she feels could be very useful in reviewing these applications.

2. Referral from the Village Board Regarding the Special Permit Application for a Retail "Backyard Birding" Store at 326 South Riverside Avenue – Preliminary Consistency Review

Robert Armanini, proprietor of the prospective retail store, was present.

Mr. Olver noted that the previous business at this location was a limousine service business. Mr. Olver said that the only impact he could see from this change of use to a "*Backyard Birding*" retail store would be a positive impact. He (Mr. Olver) explained that with this change in the use there would no longer be fumes from petroleum leakage emanating from vehicles.

Mr. Murtaugh said that he has seen the Planning Board minutes on this application, and the Planning Board has asked that the asphalt around the tree at the rear parking lot be removed. He would think that peeling back the asphalt would be healthier for this tree.

Chairperson Allen asked if there were any other comments, to which there were none.

Chairperson Allen entertained a motion to make a preliminary recommendation to the Village Board that they find the Proposed Action consistent with the Village's LWRP policies. The motion was made by Chairperson Allen, seconded by Mr. Murtaugh and carried by a vote of 4 to 0.

Mr. Murtaugh noted that the WAC would be meeting again on October 27th for the final recommendation of consistency.

3. Referral from the Village Board Regarding the Holy Name of Mary Special Permit Application for a Day Care Center – Preliminary Consistency Review

Mr. Murtaugh said that he, personally, does not have any issues with this application to renew the special permit for a day care center (pre-school) at the Holy Name of Mary Church.

Chairperson Allen asked if there were any other comments, to which there were none.

Chairperson Allen entertained a motion to make a preliminary recommendation to the Village Board that they find the Proposed Action consistent with the Village's LWRP policies. The motion was made by Mr. Murtaugh, seconded by Mr. Olver and carried by a vote of 4 to 0.

4. Referral from the Village Board Regarding the Special Permit Application for a Mixed-Use Occupancy at 383 South Riverside Avenue - Preliminary Consistency Review

The Village Engineer distributed to the WAC members copies of tax maps and color computer renderings of the proposed mixed-use building. The Village Engineer said that the current proposal includes a small addition to the one-story part of the building and a sun roof.

Mr. Murtaugh said that he has looked into the history of this building. Mr. Murtaugh showed the WAC a photograph of the way the building looked in the 1920's and 30's. The building used to be a bar/tavern. Mr. Murtaugh said that, at one point, someone bought the parcel and made an addition to the building that extended out to the property line.

The Village Engineer referred the WAC to the color computer rendering that shows the interior layout of the second floor of the building with three small apartments. Mr. Luntz said that, in his view, the apartment layout is especially poor. He would hope that during the Planning Board site plan review, the Planning Board would have a chance to comment on the apartment layout(s).

The Village Engineer said that the only changes to the building would be the addition off the back and the stair bulkhead on the roof.

Chairperson Allen asked if there would be any change of views resulting from this project. The Village Engineer said that the house behind the building might notice the bulkhead on the roof.

Mr. Olver said that he notes "with chagrin" that the Applicant for this project had waited two years for the new Harmon zoning amendments to take effect so that he could take advantage of the three-story building; now, as a result of the Article 78, this Applicant is being forced to go forward with a two-story building. Mr. Luntz added that, if the subject Harmon zoning law had been in effect, it would have been "as of right" to have a mixed-use building.

Chairperson Allen said that the only issue that she thought might need addressing is the height of the building. The Village Engineer said that the height of the building is (would be) the same as

before; the only difference is the bulkhead on the roof. Mr. Murtaugh said that, in so far as this bulkhead is concerned, he would think that it is not going to have much of any effect on the views. He would think that this small addition to have access to the roof would have no impact or the impact would be “absolutely minimal.”

Mr. Murtaugh reviewed for the WAC the LWRP policies that he believes have some relevance to this application. *Policy 5A* encourages development where public services already exist. Mr. Murtaugh said that the Proposed Action is consistent with *Policy 5A* in that this mixed-use building is within an area where these public services (sewer and water) already exist. Mr. Murtaugh referred to *Policy 5C* pertaining to traffic impacts (sight distance and road capacity) and said that, again, he finds *Policy 5C* to be applicable and consistent. Mr. Murtaugh said that *Policy 7E* pertains to storm water runoff and the potential adverse impacts on fish and wildlife habitats. Mr. Murtaugh said that, for this building site, the channeling of storm water has already been effectively dealt with. Mr. Murtaugh said that he found nothing applicable in the LWRP *Flooding and Erosion Policies* (Policies 11 through 18). Mr. Murtaugh referred to *Policy 25D* under *Public Access Policies*. *Policy 25D* pertains to the establishment and protection of identified viewsheds. Mr. Murtaugh noted that *Policy 25D* is the one policy with which the WAC has had the most concern. He, personally, thinks that this is a “non-issue.” The change in the building is not enough to affect the neighbors’ views. Mr. Murtaugh said that he has concluded, having reviewed the LWRP policies, that this project is (would be) consistent with the LWRP.

Chairperson Allen asked if the WAC members had any other comments, to which there were none.

Chairperson Allen entertained a motion to make a preliminary recommendation to the Village Board that they find the Proposed Action consistent with the Village’s LWRP policies. The motion was made by Mr. Murtaugh, seconded by Mr. Olver and carried by a vote of 4 to 0.

5. Approval of Minutes:

The minutes of the Wednesday, September 15, 2010 WAC meeting were approved on a motion by Mr. Luntz, seconded by Ms. Allen and carried by a vote of 4-0.

6. Adjournment:

There being no further business to come before the Committee, the meeting was duly adjourned at 8:45 P.M. on a motion by Mr. Luntz, seconded by Mr. Murtaugh and carried by a vote of 4-0.

Respectfully submitted,

Sylvia Mills
Secretary